

September 23, 2020

The Honourable Sylvia Jones  
Ministry of the Solicitor General  
25 Grosvenor Street  
18<sup>th</sup> Floor  
Toronto, ON  
M7A 1Y6

Dear Minister Jones;

**RE: Resolution to make it illegal to withhold documentation of animal abuse**

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members across the province. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. We are passionate and dedicated to ensuring the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability and growth of our farm businesses.

Ontario's diverse and innovative agri-food sector is a powerhouse for the province – growing and producing more than 200 farm and food products, fuelling our rural communities and driving the provincial economy by generating more than 860,000 jobs and contributing over \$47 billion to Ontario's annual GDP. We are the leading agricultural advocate for Ontario farmers, their businesses and their communities.

At our Annual General Meeting each year, OFA welcomes formal resolutions from our 51 county and regional federations across Ontario. The OFA Board of Directors adopted a resolution submitted by the Wellington Federation of Agriculture calling for OFA to “lobby to include in legislation or regulation, to report any observed incidents of animal abuse and to assign appropriate penalties for non-timely reporting or withholding documentation of animal abuse”.

Ontario farm families are committed to responsible farm animal care and handling. They raise livestock and poultry because they like working with animals, it's important work and they take it seriously. Farmers and their employees provide excellent care for farm animals and uphold the highest standard of care outlined in our national codes of practice. OFA firmly believes in and advocates for the humane treatment of all animals, including farmed livestock and poultry. We have zero tolerance for anyone in our industry who does not follow the established codes of practice.

OFA strongly supports Ontario's new provincial animal welfare enforcement system, which came into effect January 1<sup>st</sup>, 2020. Last year, OFA worked closely with Ontario's livestock and poultry organizations, general farm organizations, interest groups, and the provincial government to develop the *Provincial Animal Welfare Services (PAWS) Act, 2019*, which sets the strongest penalties in Canada for anyone who violates animal welfare laws. This new statute is designed to protect animals from abuse and neglect, and brings an updated, more uniform approach to delivering animal welfare enforcement in Ontario. The PAWS Act keeps farmers and our entire industry accountable and responsible for the care and protection of animals in Ontario.

To ensure the health and welfare of animals is protected, instances of animal abuse or neglect must be reported immediately. Failure to report or delaying the reporting of an offence constituted under the Act, thereby delaying an investigation from being conducted in a timely manner, can cause an animal to suffer undue distress. Delaying or failing to report abuse denies an opportunity for an objective investigation to be conducted, and for the source of distress be alleviated for the animal. To protect the health and well-being of animals, **OFA recommends making it an offence to knowingly fail or delay the reporting of any offence under the Act.** This should exclude any offence found by a provincial inspector where enforcement action is being taken, or where an animal is being treated by a veterinarian in accordance with the standards of practice established under the *Veterinarians Act*.

To ensure instances of animal abuse and neglect are addressed in a timely manner and sources of distress can be alleviated, **OFA recommends including a reporting timeframe of 48 hours for those witnessing animal abuse or neglect.** The ability for investigators to remove the source of distress for animals would be expedited, and aid in the prosecution of animal abusers. This timeframe should also apply to surrendering evidence of animal abuse to animal welfare inspectors, to deter animal rights activists from collecting evidence over a prolonged period of time and withholding the documentation for their own use.

Part III, section 11(d)(iii) of the PAWS Act allows for the Chief Animal Welfare Officer or the Minister to refuse to investigate a complaint regarding the code of conduct of animal welfare officers if the complaint is frivolous, vexatious or made in bad faith. To deter false reports of animal abuse, **OFA recommends that it be an offence under the Act for a member of the public to report a suspected instance of animal abuse or neglect that is frivolous, vexatious in nature or made in bad faith.**

Additionally, OFA would like to take this opportunity to encourage additional specialized training of provincial animal welfare inspectors in livestock and poultry care and welfare. Sections 2(3) and 6 of the PAWS Act state the provisions regarding required training of the Chief Animal Welfare Inspector, deputy Chief Animal Welfare Inspector, and animal welfare inspectors. OFA has advocated that provincial animal welfare inspectors must have specialized training regarding livestock and poultry, including biosecurity, and must be informed about normal farming practices and general farming activities. Livestock and poultry require more specialized training for investigations and handling regarding their needs, standards of care, and normal farm practices. Biosecurity training for inspectors is essential as farmers rely on strict biosecurity protocols to

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maintain the health of their animals. Training in animal care procedures and animal husbandry are essential for objective and appropriate farm animal protection investigations.

Ontario's farmers care about the health, safety, welfare and comfort of our animals and follow established national codes of practice for their care and handling. OFA, along with our members and industry partners, applaud the new PAWS Act which aligns with our standards of care for animals and welcome an enforcement system that includes specially trained inspectors, strict penalties, and increased accountability and transparency. OFA is committed to working with those involved in the livestock industry, agencies, and the Ontario government as the new animal protection Act continues to take shape in Ontario. We look forward to continuing our work together through the development of animal protection regulations.

Sincerely,



Keith Currie  
President

cc: The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
Janet Harrop, President, Wellington Federation of Agriculture  
Lisa Hern, Administrator, Wellington Federation of Agriculture  
OFA Board of Directors